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Pollard Gets Life Term for Spying

Wife Sentenced to 5 Years as Accessory to Espionage for Israel

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A federal judge sentenced admitted spy Jonathan Jay Pollard yesterday to life in prison for selling classified intelligence documents to Israel and his wife to concurrent five-year terms as an accessory. In a highly emotional scene that followed, Anne Henderson-Pollard collapsed weeping before the bench and was led screaming from the courtroom.

Pollard, a former Naval counter-intelligence analyst who pleaded guilty in June to espionage conspiracy charges, sold more than a thousand classified documents to the Israelis, an act that Defense Secretary Caspar W. Weinberger has called "treason."

"It is difficult for me, even in the so-called 'year of the spy,' " Weinberger said in a court affidavit, "to conceive of a greater harm to national security than that caused by the defendant in view of the breadth, the critical importance to the U.S. and the high sensitivity of the information he sold to Israel."

Pollard, pale and solemn, stood with his arm around his wife as Chief U.S. District Judge Aubrey E. Robinson Jr. pronounced the sentences. When Robinson ordered Pollard to jail for life, Henderson-Pollard collapsed to the floor in the arms of her husband, crying out "God" and "No, No."

Helped to her feet, Henderson-Pollard sank to the floor again as Robinson sentenced her to two concurrent five-year prison terms amid gasps from the crowded courtroom.

The chamber was disrupted again by cries from Henderson-Pollard's father in the rear of the room when Robinson denied the woman's request to remain free on bond until a prison could be found with facilities to treat a digestive disorder from which she suffers. Robinson then hurriedly recessed the 2½-hour proceeding and ordered the room cleared.

Pollard, 32, and his wife, 26, were led by marshals to a holding

cell at the front of the courtroom, and as the door closed behind them Henderson-Pollard's piercing screams filled the court and loud pounding noises could be heard from inside the cell.

"It is likely he will never see the light of day again," U.S. Attorney Joseph E. diGenova said of the sentence imposed on Pollard. Although he would be eligible for parole consideration after 10 years, the harm done to national security means he probably never will be freed, diGenova said.

"The sentence imposed reflects the severity of damage," diGenova said, adding that Pollard had "compromised the most documents ever" through a spying operation, including descriptions of covert intelligence programs and identities of undercover agents.

"It is only for the United States to decide what information we give to a friend or foe," diGenova said.

He also suggested that the information given to Israel may have ended up in the hands of other countries.

Appearing on "The MacNeil-Lehrer Newshour" last night, diGenova said the damage was "beyond calculation" and goes "well beyond" what previously has been reported.

Pollard sold documents to the Israelis from the summer of 1984 until Nov. 18, 1985, when he was arrested after unsuccessfully seeking asylum at the Israeli Embassy here. He received more than \$45,000 in cash for the documents and was promised at least \$300,000 more in a Swiss bank account.

Four Israelis who were Pollard's "handlers" have been named as co-conspirators and one, Gen. Aviem Sella, was indicted here Tuesday on espionage charges.

The Israeli government has maintained the spy ring was a "rogue operation" that did not have official sanction, but Pollard has said high-ranking Israeli officials knew of his activities.

Pollard's attorney, Richard Libey, had asked Robinson to show mercy in sentencing his client, arguing that the damage from the spying was minimal because the information had gone to Israel, an "ally" and "partner in democracy," and not to such countries as the Soviet Union or China. And the damage to U.S. security, he said, was nothing like that caused by the activities of convicted spies John A. Walker or Ronald William Pelton.

Pollard, addressing the court without notes, said he acted to help Israel, not to hurt the United States. He added, "It does not matter that [his spying activities] may benefit this country in the long run . . . I broke faith and took the law into my own hands."

He described his actions as "intellectual laziness" because he did not try to go through channels to correct what he considered "weaknesses" in intelligence information being provided to Israel by the United States.

"I should have recognized the infectious nature of an ideology, Zionism," Pollard said.

When Robinson asked Pollard if he really believed he had improperly made decisions reserved for the president, the cabinet and the national security agencies, he replied: "If everybody followed my course of action, . . . it would be nothing short of a Lebanon."

Much of Pollard's statement, however, centered on what he said was his "second violation of trust," that of his wife's trust in him, and this he called an "unmitigated tragedy."

"I recognize that I broke the law . . . and that I hurt badly a woman who was relying upon my good judgment. I will have to live with that long after this case is but a distant memory," Pollard said.

Assistant U.S. Attorney Charles S. Leeper said it was Pollard's "arrogance and deception that drove him to commit criminal acts" and that Pollard believed everyone else was wrong and he was right when it came to Israel, disputing even Weinberger's declaration on the degree of harm to national security.

Pollard "believes that if he keeps repeating 'this case does not involve the Soviet Union' . . . [that] there was no harm to national security," Leeper said.

"This defendant has admitted that he sold to Israel [a quantity] of classified documents 10 feet by 6 feet by 6 feet," that included disclosures about the location of U.S. ships and the timing and location of U.S. training exercises, Leeper said.

" . . . He made a judgment up front of 'Israel right or wrong,'" Leeper said.

Urging a long sentence for Pollard, Leeper argued that Pollard's "perspective is so skewed and his view so warped [that] at the first opportunity he is going to go about the business of telling everything he knows to Israel.

"In combination with the breadth of this man's knowledge, the depth of his memory and his complete lack of honor, he is a very dangerous man," Leeper said.

The prosecutor noted further that despite pledges in a plea agreement and protective order that he would seek court approval before discussing any intelligence matters with reporters, Pollard had talked repeatedly with Jerusalem Post reporter Wolf Blitzer and had disclosed additional classified information.

Weinberger's affidavit said that Pollard, confronted with a lie detector test, had admitted he "provided or confirmed" to Blitzer information that was said to be a part of a sealed affidavit Weinberger had submitted earlier.

"When it comes to protecting against further disclosure of secrets," Leeper said, "he [Pollard] is not a man to be trusted."

Henderson-Pollard was imprisoned for 95 days after the couple was arrested in November 1985, and her attorney, James Hibey, asked yesterday that she not be returned to prison, arguing that she acted out of "love and concern" for her husband and had not harmed national security.

"Mrs. Pollard is not a spy for Israel, for the People's Republic of China or for anyone," Hibey said.

Henderson-Pollard pleaded guilty to receiving embezzled government property and being an accessory after the fact to the possession of classified documents.

The charges stem from her use of classified documents on China to prepare for a business presentation to the embassy here and from her efforts to hide from government officials classified documents that were in the apartment she shared with her husband.

"She did not obtain, copy or deliver classified documents to anyone," Hibey said. " . . . Mrs. Pollard is a loyal American . . . no useful purpose is served by further incarceration."

Henderson-Pollard is expected to serve 40 to 52 months in prison, according to a court presentence report.

She sat across a table from her husband during most of the proceedings, weeping quietly and alternately grasping at her sides in apparent pain or slumping into her chair with head bowed.

Twice Robinson granted brief recesses for her to regain her composure, and nurses were called to the courtroom early in the hearing when she seemed on the verge of collapse.

Her rambling, emotional statement to the court focused mostly on Pollard.

"I pray to God every single day of my life that I will be reunited with my husband," Henderson-Pollard said, swaying unsteadily on her feet.

She spoke of the "deep love and respect and admiration that I have for my husband" and said "I never

thought God would bless me with anyone as good and wonderful as my husband."

" . . . I want to raise a family with him, grow old with him, spend the rest of my life with him . . . I need him so much right now. He is my soul, my best friend, my intellectual conversationalist . . . my greatest love."

"I'm very sorry," she told Robinson. " . . . I'm so sorry for this incident to have gotten so blown out of proportion . . . I pray for leniency and mercy."

But Assistant U.S. Attorney David F. Geneson requested a "sentence of incarceration" for her, saying that based on a Henderson-Pollard interview televised Sunday on the CBS "60 Minutes" program, "she would do the same thing today as what she did then."